



**International Convention on
the Elimination
of all Forms of
Racial Discrimination**

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COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION
Fifty-fourth session

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 9 OF THE CONVENTION

Concluding observations of the Committee on the
Elimination of Racial Discrimination

Finland

1. The Committee considered the thirteenth and fourteenth periodic reports of Finland (CERD/C/320/Add.2), at its 1309th and 1310th meetings (CERD/C/SR.1309-1310), held on 3 and 4 March 1999, and adopted, at its 1326th meeting (CERD/C/SR.1326), held on 16 March 1999, the following concluding observations.

A. Introduction

2. The Committee notes with appreciation that the State party has submitted a detailed and comprehensive report which complies with the Committee's general guidelines and addresses the different issues raised by the Committee in its previous concluding observations. The Committee also appreciates the additional information provided by the State party's delegation during its oral presentation, as well as the constructive dialogue that the Finnish Government maintains with the Committee.

B. Positive aspects

3. It is noted with satisfaction that since the examination of its eleventh and twelfth periodic reports, the State party has taken further measures to combat racial discrimination. At the regional level, Finland has ratified the Framework Convention for the Protection of National Minorities of the Council of Europe. At the national level, a Ministerial Group on Good Ethnic Relations and an Anti-Racism Committee have been established. The Council of State adopted the Decision-in-Principle on Measures for Promoting Tolerance and Combating Racism, which was preceded by the Action Plan against Racism, as

well as the Decision-in-Principle for the Government Programme on Immigration and Refugee Policy. In addition, a new Act on the integration of immigrants and reception of asylum seekers has been drafted, as well as amendments to the Aliens' Act providing immigrants, inter alia, with an extended right of appeal and facilitating the reunification of families.

4. The large representation of immigrant groups and traditional national minorities in the new Advisory Board for Ethnic Relations as well as their participation in the Commission against Racism, Xenophobia, Anti-Semitism and Intolerance is also welcomed.

5. The recent legislation ensuring enjoyment by immigrant children of their right to education, as well as the measures taken to facilitate education of immigrants in their own language, are welcomed. Measures to facilitate the education of the Sami and Roma people in their own language are similarly welcomed.

6. Preparations for the establishment of the post of an Ombudsman against Ethnic Discrimination to replace the Ombudsman for Aliens are also welcomed.

7. It is noted with satisfaction that the State party shares many of the Committee's concerns and that non-governmental organizations were given the opportunity to send written statements for the preparation of the thirteenth and fourteenth periodic reports of Finland.

C. Principal subjects of concern

8. Concern is expressed at the growing number of racist acts occurring in the country, a fact recognized by the State party itself. Despite this increase, in relatively few instances have judicial proceedings been initiated with respect to incidents of racial discrimination, including those in the labour market.

9. The Committee expresses its concern that article 4 of the Convention is not fully complied with, since there is no provision in the Finnish legislation prohibiting and punishing organizations which promote and incite racial discrimination. Moreover, the Penal Code contains no provision declaring any dissemination of ideas based on racial superiority or hatred to be an offence punishable by law.

10. It is regretted that the question of land ownership of the Sami has not yet been settled and that, as a result, Finland has not yet ratified ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries.

11. Concern is also expressed over the situation of immigrants and the Roma minority, particularly with respect to housing, the high rate of unemployment and education problems.

12. Incidents involving denial of access to public places for some persons on the basis of their ethnic or national origin, contrary to article 5 (f) of the Convention, continue to be a matter of concern.

D. Suggestions and recommendations

13. The Committee recommends the amendment of the Penal Code in order to fully implement article 4 of the Convention. The Code should, in particular, contain provisions declaring illegal and prohibiting organizations which promote and incite racial discrimination, as well as declaring the dissemination of ideas based on racial superiority or hatred, an offence punishable by law. Due consideration should be given in this respect to the Committee's General Recommendation VII relating to the implementation of article 4 of the Convention.

14. The Committee recommends that the State party redouble its efforts towards the resolution of the land dispute concerning the Sami as soon as possible, in a manner that does justice to the claims of the Sami.

15. Additional measures should be taken at the State and municipal levels to alleviate the situation of the Roma minority and of immigrants with respect to housing, employment and education.

16. In accordance with article 5 (f) of the Convention, appropriate action should be taken to ensure that access to places or services intended for use by the general public is not denied to any person on grounds of national or ethnic origin.

17. Efforts should be made to increase the number of quota refugees. It is recommended that the quota system be applied without discrimination based on race or ethnic origin.

18. The State party is requested to provide information, in its next periodic report, on the extent to which members of vulnerable groups are in practice protected from the forms of discrimination listed in the Convention. Information should also be provided on cases concerning individuals who have been prosecuted for acts of racism, including membership in or collaboration with racist organizations or groups, as well as on compensation provided to victims of racial discrimination, especially in the labour market.

19. Furthermore, the next periodic report should also contain information on measures taken and progress achieved concerning the implementation of the Decision-in-Principle on Measures for Promoting Tolerance and Combating Racism.

20. The Committee invites the State party to make its report and the Committee's concluding observations and summary records thereon widely available in Finland. The possibility of holding a seminar in this respect is welcomed. The accepted individual communications procedure under article 14 of the Convention should also be widely publicized.

21. The Committee recommends that the State party's next periodic report, due on 13 August 1999, be an updating report, and that it address the matters raised in the present concluding observations.